

Message Text

LIMITED OFFICIAL USE

PAGE 01 ROME 21146 271830Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 SP-02
/035 W

-----017547 271839Z /41

R 271800Z DEC 77

FM AMEMBASSY ROME

TO SECSTATE WASHDC 9501

LIMITED OFFICIAL USE ROME 21146

E. O. 11652, ? /A

TAGS: EAIR, IT

SUBJ: CIVAIR: CHARTER AIR SERVICE NEGOTIATIONS

REF: STATE 284233

1. EMBASSY HAS RECEIVED MFA NOTE 079/22076
DATED DEC. 23,
1977, IN RESPONSE TO EMBASSY'S NOTE SENT IN ACCORDANCE WITH
REFTEL ON NOV. 30. INFORMAL TRANSLATION OF MFA NOTE PROVIDED
IN PARA 2.

2. BEGIN TEXT. THE MINISTRY OF FOREIGN AFFAIRS HAS THE
HONOR TO REFER TO THE EMBASSY'S NOTE VERBALE NO. 706 OF
NOVEMBER 30, 1977 BY WHICH, ON THE ONE HAND, THE POSITION
OF THE U.S. DELEGATION AT THE RECENT CONSULTATIONS FOR THE
REVISION OF THE AIR TRANSPORT AGREEMENT IN EFFECT BETWEEN
THE TWO COUNTRIES IS REPEATED AND, ON THE OTHER HAND, IT IS
STATED THAT THE CHARTER SERVICES PROBLEM MUST BE CONSIDERED
AS PART OF (MATTERS SUBJECT TO) CIVIL AIR REGULATION
BETWEEN THE TWO COUNTRIES, SPECIFYING, AMONG OTHER THINGS,
THAT IT WOULD NOT BE DESIRABLE AND IN SOME CASES NOT POSSIBLE
TO RESOLVE BILATERALLY ECONOMIC ISSUES OF SCHEDULED AIR SERVICES
WITHOUT ALSO RESOLVING BILATERALLY PROBLEMS RELATING TO CHARTER
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 ROME 21146 271830Z

AIR SERVICES.

THE ITALIAN POSITION ALREADY SPECIFIED AT THE AFORESAID
CONSULTATIONS WAS AS FOLLOWS: WHILE RECOGNIZING THE UNITY
OF THE AIR TRANSPORT MARKET AND ROLE CHARTER AIR SERVICES
PLAY IN THAT CONTEXT, THE BILATERAL NEGOTIATION ISSUES
CURRENTLY BEFORE US ARE RELATED TO THE IMPLEMENTATION OF
THE AIR TRANSPORT AGREEMENT OF 1970 ON THE BASIS OF WHICH

(ART. 11) THE ITALIAN SIDE REQUESTED CONSULTATIONS FOR THE REVISION OF SOME CLAUSES DEMONSTRATED TO BE OF UNCERTAIN INTERPRETATION OR UNSUITABLE TO ASSURE A NORMAL DEVELOPMENT OF AVIATION RELATIONS BETWEEN THE TWO COUNTRIES. CONSEQUENTLY, WHILE NOT EXCLUDING THE POSSIBILITY OF OPENING CONSULTATIONS ON CHARTER AIR SERVICES TO INVESTIGATE THE POSSIBILITY AND DESIRABILITY OF ARRIVING AT A BILATERAL REGULATION IN THIS AREA, THE ITALIAN SIDE STATED THAT, IN ANY CASE, SUCH CONSULTATION WOULD HAVE TO BE CONDUCTED SEPARATELY AS IT DOES NOT FALL WITHIN THE SCOPE OF ACTION OF THE CITED ART. 11 WHICH REFERS EXCLUSIVELY TO MATTERS DEALT WITH IN THE ITALO-AMERICAN AIR TRANSPORT AGREEMENT. THE MINISTRY OF FOREIGN AFFAIRS HOLDS THAT IT MUST CONFIRM THAT POSITION ALSO BECAUSE OF THE CONCERN THAT BY INTRODUCING INTO THE CONSULTATIONS A NEW COMPLEX SUBJECT SUCH AS CHARTER SERVICES--ON WHICH A DECISION IS IN ANY CASE DIFFICULT BEFORE THE PERTINENT LEGISLATION HAS BEEN APPROVED BY PARLIAMENT--THE PROBLEMS OF THE SCHEDULED SERVICES MIGHT NOT BE SOLVED--PROBLEMS WHICH CONSTITUTE THE SPECIFIC SUBJECT OF THE NEGOTIATIONS AND WHICH HAVE BEEN BEFORE US SINCE FEBRUARY OF 1976-- LONG BEFORE THE FORMULATION OF THE CHARTER SERVICE PROBLEM. HAVING STATED THE FOREGOING, THE MINISTRY OF FOREIGN AFFAIRS STATES THE FOLLOWING:

- 1) MAINTAINING INTEREST IN FACING THE REGULATION OF CHARTER SERVICES AT THE OPPORTUNE TIME, A DETAILED HANDLING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 ROME 21146 271830Z

OF THE PROBLEM ON THE SAME LEVEL AS THE AMENDMENTS TO THE ITALO-AMERICAN AIR TRANSPORT AGREEMENT APPEARS PREMATURE WITHOUT HAVING A GENERAL IDEA OF THE REGULATIONS THE AMERICAN SIDE PLANS TO PROPOSE BY MEANS OF THE TEXT WHICH WAS PROMISED DURING THE DISCUSSIONS IN ROME.

- 2) THE FORMULATION THAT THE AMERICAN SIDE WOULD LIKE TO USE IN THE CHARTER SERVICES ISSUE OF CONDITIONING REVISION OF THE CURRENT BILATERAL AGREEMENT TO INCLUSION OF CHARTER MATTERS--WHICH ABOVE ALL WOULD HAVE THE EFFECT OF REFUSING TO IMPLEMENT ART. 11 OF THE AIR AGREEMENT--DOES NOT SEEM VALID TO THE ITALIAN GOVERNMENT.

- 3) AS REGARDS THE QUESTION OF REVISION OF THE ITALO-AMERICAN AIR AGREEMENT, FOLLOWING THE EXCHANGE OF IDEAS DURING THE RECENT CONSULTATIONS IN ROME, THE FACT REMAINS THAT PROPOSALS STILL HAVE NOT BEEN ADVANCED BY THE AMERICAN SIDE EITHER ON THE AMENDMENTS THAT SIDE MAINTAINS ARE NECESSARY OR IN SEARCH OF SUITABLE SOLUTIONS TO THE LEGITIMATE EXPECTATIONS PRESENTED BY THE ITALIAN SIDE. THE LATTER SIDE MAINTAINS THAT THE NEGOTIATIONS SHOULD ALREADY BE LAUNCHED ON A CONCRETE BASIS--AS ALREADY STATED DURING THE RECENT CONSULTATIONS.

- 4) IT IS HARDLY NECESSARY TO ADD THAT THE ITALIAN SIDE CANNOT ACCEPT THE SUBORDINATION TO THE CHARTER SERVICE

ISSUE OF THE NEGOTIATIONS ON THE DISTINCT AND PRIORITY
ISSUE OF REVISION OF THE EXISTING AGREEMENT RAISED BY THE
ITALIAN GOVERNMENT IN REGARD TO SCHEDULED SERVICES.
(COURTESY CLOSE). END TEXT.

3. DI MUCCIO (MFA) REMARKED TO EMBOFF THAT MFA'S NOTE
PROBABLY MEANT THAT THERE WOULD BE NO NEGOTIATION ON THE
BILATERAL AGREEMENT IN THE LATTER HALF OF JANUARY (PRESUMABLY
BECAUSE HE ANTICIPATES U.S. REFUSAL) AND THAT THE ONLY TWO
MATTERS LIKELY TO BE TAKEN UP WOULD BE AIR FARES AND EX POST CONSUL-
TATIONS ON CAPACITY IN THE SUMMER SEASON. HE INDICATED THAT GOI WOULD
CERTAINLY STILL BE WILLING SEND A DELEGATION TO WASHINGTON FOR
THOSE TWO PURPOSES BUT THAT IT MIGHT BE A LOW LEVEL ONE.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 ROME 21146 271830Z

4. COMMENT. EMBASSY BELIEVES IT WOULD BE ADVANTAGEOUS TO
PROVIDE GOI WITH TEXT ON CHARTERS AS WELL AS ANY OTHER TEXTS
ON OTHER ELEMENTS OF AGREEMENT THAT WE ARE NOW IN POSITION
TO SUPPLY IN ORDER TO AVOID CHARGE THAT U.S. BEING
DILATORY AND DENYING GOI USE OF ART. 11. ON OTHER HAND,
WE SEE NOTHING IN ART. 11, WHETHER READ IN ENGLISH OR
ITALIAN, THAT SUPPORTS GOI VIEW THAT ART. 11 NEGOTIATIONS
ARE AVAILABLE ONLY FOR REVISING MATTERS ALREADY CONVERGED IN
THE AGREEMENT. MFA NOTE ALMOST SEEMS TO SUGGEST THAT
U.S. WOULD FIRST HAVE TO DENOUCHE THE AGREEMENT BEFORE BEING
IN POSITION TO DEMAND NEGOTIATION ON CHARTERS--A THOUGH
WHICH PROBABLY APPEALS TO SOME ON THE ITALIAN SIDE.
GARDNER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 27-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ROME21146
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770482-0407
Format: TEL
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771216/aaaaammc.tel
Line Count: 149
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 575b0efd-c188-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 284233
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 127108
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: CHARTER AIR SERVICE NEGOTIATIONS
TAGS: EAIR, IT
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/575b0efd-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009